

10-1-15

TAUNTON PLANNING BOARD MINUTES

CITY HALL, TAUNTON, MA 02780

Meeting held at Maxham School, 141 Oak St,

DATE: October 1, 2015

BOARD MEMBERS: Bob Campbell, Chrmn. Dan Dermody
 Anthony Abreau, V.C. Arthur Lopes
 Manuel Spencer, Clerk Joshua Borden
 John Reardon

ADVISORS:

Mark Slusarz, City Engineer
Kevin Scanlon, City Planner

Roll Call: Abreau, Reardon, Dermody, Campbell, Spencer, Lopes, and Borden present Also present was City Engineer Mark Slusarz. Meeting opens at 5:35 PM

Site Plan Review – 265 Bay St – to allow auto sales in conjunction with the existing auto repair facility –Leonard’s Auto Repair -

Atty. John Zajac, Jessica Leonard & Tiffany Westgate were invited into the enclosure. Clerk Spencer read the public meeting notice and DIRB comments into the record and placed on file. Atty. Zajac this petition is for an accessory business to the exiting auto repair. They are asking to be able to sell a few vehicles but their main business in auto repair. Atty. Zajac stated they accept the DIRB comments. John asked why there was more vehicles on plans? Ms. Leonard answers that is what they initially wanted but the ZBA and DIRB restricted to 8 which is ok. Chairman Campbell stated the DIRB is requesting some spaces to be perpendicular which he agrees would be more room. Josh asked if Ms. Leonard owns the business. She answers yes but a friend owns the land. City Engineer stated he has not received the updated plans yet. Ms. Leonard stated they wanted to wait to update until after this meeting.

Dan made motion to approve the Site Plan Review to include DIRB comments, Seconded by Josh. All in favor.

Condition #1) That the plans dated August 20, 2015 shall govern with the following additional conditions:

Condition # 2) A set of updated plans shall be submitted that conforms to all the requirements of this decision before any building permit will be issued. Two sets are required.

Condition #3) Lighting shall no illuminate any portion of abutting properties.

Condition #4) The site shall be kept clean and clear of debris.

Condition #5) Show the gates on the plan.

Condition #6) Parking Space #1 shall be a handicapped space, signed and striped according to code.

Condition #7) Compliance with ZBA Case # 3274 is required.

Condition #8) The display spaces in front of the building shall be perpendicular to Bay Street, not parallel.

Condition #9) The dumpster shall be shown on the plan and shall be moved to the rear fenced portion of the site.

Condition #10) The maximum number of vehicles in conjunction with the auto sales uses shall be 8 vehicles and they shall be located in the defined display spaces only.

Condition #11) The spaces labeled “d” on the plan are the display spaces and the unmarked spaces are for storage of vehicles waiting to be worked on or picked up in conjunction with the auto repair use.

Site Plan Review - Silver City Galleria Mall to allow Parker Driving School and other miscellaneous events on “PARCEL A”, submitted by Kenneth Darling, Operations Manager.

Mr. Kenneth Darling, Manager Silver City Galleria Mall was invited into the enclosure. Clerk Spencer red the public notice and

DIRB comments which were placed on file. Mr. Darling explains they are here for approval to use the low lot (known as the Doel Farm property) for Parker Truck Driving School and future tent sales. Arthur asked if the truck trailers will be registered in Taunton? Mr. Darling answers their main headquarters is in Avon, Ma. The driving school is existing and they are legalizing it. It was asked if any trucks will be stored overnight and Mr. Darling answers occasionally. Bob asked this is the "over flow" parking lot for busy times like Christmas. Will the driving school be using it then? Mr. Darling answers this is a modification actually. In speaking with the City Planner they would file because of the truck driving school and the reduction of the movie theatre parking.

Since they reduce the number of seats in the movie theatre from 1977 seats to 714 the parking requirement reduced and the lower lot is not needed. John asked how the driving school went in there without any permits? Mr. Darling wasn't aware they needed permits. Dan asked he heard in the past they were proposing apartments on the other land? Mr. Darling wasn't aware of that but he only been manager for 3 months. John asked when the mall was approved how many parking spaces were required? Mr. Darling stated when approved they are required per the City Zoning Ordinance and because they reduced the number of seats in theatre they can reduce the number of spaces. Mr. Darling stated the parking is based different ratios, (ie. Square footage or number of seats)

Manny stated there isn't much activity on Parcel ". Bob stated in original approval they had to use that extra lot but since there is less retail they probably won't need that lot. Arthur asked how many trucks on site? Mr. Darling answers at most times 5 tractor trailers. This is mainly for teaching and there are no deliveries. What are the hours of operation? Mr. Darling answers 5:00 AM to dark. It was noted this is the driving school that was previously at the Raynham Dog Track. Dan asked if the trailers are full? It was answered no. Dan was wondering if they would fill them so the person learning can experience a trailers full as opposed to empty. John asked hours of operation and Mr. Darling answers dawn to dusk.

Josh made motion to approve the Site Plan Review with DIRB comments, seconded by Dan. All in favor.

Condition #1) That the plans dated July 15, 2015 shall govern with the following additional conditions:

Condition # 2) This approval does not supersede any previous zoning approvals except as specified herein.

Condition #3) The approval is to allow the use of the existing parking area on Assessor's Parcel 118-8 for permitted uses.

Temporary structures on the existing pavements are permissible. Permanent structures are not allowable under this approval.

Condition #4) The minimum required parking spaces for the Galleria mall complex shall be 4,501 spaces at any one time based on the submitted parking calculations illustrating how the mall space is utilized.

Condition # 5) Vegetation on site shall be maintained to not interfere with traffic lanes on site.

Condition #6) Trucks utilized in conjunction with the CDL training use shall refuel off site.

Condition #7) No special events shall be held on any other portion of the mall properties outside of parcel 118-8 that utilize any parking spaces, vehicle travel lanes or fire lanes.

Site Plan Review - 310 Broadway for automobile display for the adjacent automobile business at 288 Broadway, submitted by NDS Realty LLC, owner Cumberland Farms Inc.

Manny Sarmiento, Prestige Auto Sales and John Keegan, P.E., SITEC ENGINEERING was invited into the enclosure. Clerk Spencer read the public meeting notice and the DIRB comments which were placed on file. The property is paved already and it pitches toward the street. City Engineer stated there is no drainage on site. Mr. Sarmiento stated there will be less water runoff from the property after. It was noted this parcel will benefit from the Site Plan Review. The grading goes to the other property. It was suggested putting a berm on the northeast edge of parking lot. Mark stated that will detain water. There was discussion relative to possibly putting a catch basin in corner and chamber the running water into a 15 wide grass strip? The lot is paved with a 15 foot landscaped buffer. Mr. Keegan stated the people who did Route 138 threw all the pilling into the site. Tony asked what kind of soils and John stated it's urban land. He states the area has been graded at times and they put fill. It was suggested putting a 4 foot wide 6 inch stone trough along the northeast edge of pavement to scrap down to decent soils and put 1 ½ inch stone small wrap.

Chairman Campbell asked the City Engineer if encroachment of the "welcome to Taunton sign" came up at the DIRB meeting?

Mark said it did and Mr. Sarmiento didn't have any problem with that, it can stay. Eugene LeClair, owner of abutting property and General Fire Extinguishers. He states when it rains it's like a river. He asked why did he and other businesses in area, like bank have to put drainage but this one doesn't. He stated there was a berm between properties but it's gone. Chairman Campbell asked when this site paved? Mr. LeClair answers that Mr. Leca paved it long ago without property permits. His catch basin cannot handle the water. Chairman Campbell suggests reducing the impervious area. Josh stated Mr. LeClair has agreed to work with petitioner for some kind of solution. Josh suggested perhaps continuing until next month to see what they come up with. Mr. Sarmiento stated he can't continue, he would walk away from deal. He is on tight deadline with P&S. City Engineer explained to Mr. LeClair that the existing conditions are worse than if they make some minor improvements. Mark stated if they did something understand with Mr. LeClair's system it most likely won't be big enough. Chairman Campbell stated any change will reduce the runoff. Manny states right now it's bad and it will get little better. This is an opportunity to make it a little better. It was suggested remove the existing paved areas in buffer zone and build a stilling basin with buffer at point of greatest discharge (working with abutter). It was stated that would reduce the momentum of water discharging into Mr. LeClair's basin. Mr. LeClair didn't understand why he had to add drainage and he doesn't. Chairman Campbell explained that when you can't increase the peak run off and he isn't. Manny pointed this is an existing problem. Josh stated he could not vote on this as it is now. Manny asked both gentlemen if they were willing to work together and they both answered yes.

Manny made motion to approve the Site Plan Review with the DIRB comments and following conditions:

Condition #1) That the plans dated August 21, 2015 shall govern with the following additional conditions:

Condition #1) A set of updated plans shall be submitted that conforms to all the requirements of this decision before any building permit will be issued. Two sets are required.

Condition #3) Lighting shall not illuminate any portion of abutting properties.

Condition #4) The site shall be kept clean and clear of debris.

Condition #5) Two sets of As-Builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts.

Condition #6) The total number of vehicles to be stored/displayed on site at any one time shall not exceed 177 vehicles (69 existing plus 108 proposed) for the combined parcel. All vehicles being displayed/stored on site shall be stored and displayed in the defined spaces on the plan only.

Condition #7) The six spaces partially blocking the southerly curb cut shall be moved. The spaces shall be relocated to be stacked behind the display spaces in the southerly corner of the site.

Condition #8) On parcel 39-105, all parking spaces included those noted as a dotted line shall be stripped.

Condition #9) Due to the proposed layout, the parcels MUST be combined prior to the commencement of any business activity on lot 39-106.

Condition #10) The drainage plan shall be approved by the City Engineer prior to building permit.

Condition #11) Within the bituminous pavement shown on lot 39-106, there is a portion that is not paved but shown as paved on the proposed plans. Said area shall be paved.

Condition #12) Show the dumpster on the plan. Dumpster shall be located on a concrete pad, be enclosed with a stockade fence, kept closed at all times. Dumpster shall be located in the westerly rear corner of the building.

Condition #13) Show the required handicap space on plan.

Condition #14) Plans must have correct Property I.D. Map 39 Lot 105 and Map 39 Lot 106.

Condition #15) Remove pavement within buffer zone and construct a settling basin with buffer at the surface drainage discharge point in cooperation with the abutter and the City Engineer.

Condition #16) Scrape down to decent soils to construct a 4' wide by 6" deep swale of 1 1/2" stone long the northeast edge of parking lot.

5 members in favor, 2 opposed (JB & JR) motion passes.

E-5 Winthrop Heights II – Release of Last lot - holding \$124,000 plus \$78,000 mylar deposit – Completion of Subdivision

John excused. Clerk Spencer read comments from B.O.H., Conservation Commission, City Planner and Fire Dept. which were placed on file.

Mr. Feodoroff was invited into the enclosure and gave update. He told Board he has been there every day and they are working on sidewalks, concrete bounds and marked water boxes. He said the gas company is good. He is confident it will be done by the end of October. He referenced option #2 in the City Planner's letter regarding release of lot. He has local guy who wished to build. Josh asked City Engineer why the large difference in completion cost between the applicant and his estimate? City Engineer stated the big difference is the paving... Mr. Feodoroff stated he took his figures from years ago. Mr. Feodoroff agrees he must get it done and he will. Josh suggests continuing until next month in hopes it will be done. Public input, Ed Ivanoski 167 Craven Court asked questions regarding how the work will be done? Virginia Ivonski asked the Board to make sure it's done before Halloween as there will be children walking in streets. It was noted all the storm drains need cleaning and Mr. Feodoroff stated he would take care of that. Mr. Feodoroff stated he wasn't particularly looking at the lot tonight but mainly getting all departments to give their punchlist. Manny said he doesn't believe it will be done. There was discussion about what the completion date was on contract and Mr. Feodoroff stated his contract is not like that. He stated the pavers will be out in about 3 weeks. Manny is frustrated and we'll see what happens comes November. Josh made motion to continue until next month, seconded by Dan. All in favor.

Josh asked about River Pines and Mr. Feodoroff stated the granite curbing was supposed to be delivered today but wasn't.

Mr. Feodoroff requested some provisions be made for the next meeting relative to his hearing impairment.

Meeting adjourned at 7:39 PM

